IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

R.K.Sayal & Ors. vs. State of Rajasthan & Anr.

S.B.CR.MISC. PETITION NO.03/2006

Date of Order : August 03, 2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. M.K.Garg, for petitioners.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.
Mr. G.K.Rathore, for non-petitioner No.2.

BY THE COURT:

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioners seek quashing of FIR No.131/2004, police station, Sayara, Distt. Udaipur for the offences under sections 420, 467 and 468 I.P.C.

I have heard learned counsel for the petitioners and the Public Prosecutor as also the counsel appearing for the complainant. Carefully gone through the first information report and the police investigation diary.

Non-petitioner No.2 lodged the report with the said police

station against Smt. Harsha Sharma, who alleged to have collected the money on behalf of the petitioners under the scheme Golden Forest India Ltd. threatening the complainant that in case she fails to make the payment with the said scheme, her services would be terminated. She was induced to make the payment. She made the various payments for which some investment receipts have been given. The amount has been paid to the Director, Golden Forest India Ltd. On the basis of material collected during the investigation, the police came to the conclusion that these were the petitioners, who through Smt. Harsha Sharma collected the money not only from the complainant-non-petitioner but from many other similar situated persons. During investigation, it is revealed that the petitioners are lodged in the Jail at Chandigarh and have been facing investigation of similar nature of offence in various parts of the country. From the first information report, it appears that the petitioners are prima facie involved in commission of the offences noticed above. In the circumstances, therefore, no case for quashing of FIR is made out.

The petition has no force and the same is, therefore, dismissed. Stay petition also stands dismissed.

[H.R.PANWAR],J.

m.asif/-